

REMARKS

Claims 1-4 are pending in the present application. Claims 1-4 have been amended.

Priority Under 35 U.S.C. 119

Applicant notes the Examiner's acknowledgment of the Claim for Priority under 35 U.S.C. 119, and receipt of the certified copy of the priority document.

Claim Rejections-35 U.S.C. 101

Claims 1 and 2 have been rejected under 35 U.S.C. 101 as allegedly being directed to non-statutory subject matter. This rejection, insofar as it may pertain to the presently pending claims, is traversed for the following reasons.

Applicant does not necessarily concede that original claim 1 is non-statutory. However, claim 1 has been amended to further feature in combination an adder "which adds said prediction signal and said quantization difference signal to provide a reproduction signal that corresponds to a decoded signal." Applicant respectfully submits that as a whole, claim 1 has practical application as an ADPCM decoder that provides a decoded signal. Thus, Applicant respectfully submits that claims 1 and 2 are statutory under 35 U.S.C. 101, and respectfully urges the Examiner to withdraw this rejection for at least these reasons.

Allowable Subject Matter

Applicant notes the Examiner's acknowledgement that claims 3 and 4 are allowable. Claims 3 and 4 have been amended merely to improve antecedent and form.

Conclusion

Claims 3 and 4 have been amended merely to improve form, not to further distinguish over the relied upon prior art. This should be readily clear in view of the acknowledgement that claims 3 and 4 are allowed. Thus, the amendments to claims 3 and 4 should not be construed as narrowing scope within the meaning of *Festo*.

The Examiner is respectfully requested to reconsider and withdraw the corresponding rejections, and to pass the claims of the present application to issue, for at least the above reasons.

In the event that there are any outstanding matters remaining in the present application, please contact Andrew J. Telesz, Jr. (Reg. No. 33,581) at (571) 283-0720 in the Washington, D.C. area, to discuss these matters.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment for any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0238.

Respectfully submitted,

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